

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN JAY PETTEY,	)	
	)	
v.	)	C.A. No. 05-131 Erie
	)	
JAMES SHERMAN,	)	
Respondent.	)	

**MEMORANDUM ORDER**

This petition for writ of habeas corpus was received by the Clerk of Court on May 3, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on May 10, 2006, recommended that the petition for writ of habeas corpus be denied, and that the motion to compel the filing of a report and recommendation (Doc. #10) be denied as moot. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail at the Federal Prison Camp in Duluth, MN, where he is incarcerated, and on Respondent. Objections were filed by Petitioner on June 27, 2006. After de novo review of the petition and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 5<sup>th</sup> Day of July, 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is DENIED, and it is further

ORDERED that the Motion to Compel the filing of a Report and Recommendation (Doc. #10) is DENIED as moot.

The report and recommendation of Magistrate Judge Baxter, dated May 10, 2006, is adopted as the opinion of the court.

  
MAURICE B. COHILL, JR.  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge

all parties of record \_\_\_\_\_